



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Report of Successor Administrator of Insolvent Estate; Request for Discharge

		PUBLIC ADMINISTRATOR , Successor Administrator, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
		Petitioner states:	CONTINUED FROM 01/27/14
		1. On 08/01/05, the Court removed Peggy Gastelum as Executor and appointed the Public Administrator as successor administrator. Letters were issued to the Public Administrator on 08/25/05.	
Cont. from		2. A Petition for surcharge was filed against Peggy Gastelum by Robert Hawkins, bankruptcy trustee of the Estate of John Kearney, Jr. and Maria Ida Kennedy, two beneficiaries of the estate. The Public Administrator joined in that action. An order in favor of the surcharge was filed on 09/24/07.	Minute Order from 01/27/14 states: Counsel to submit a declaration addressing the notice issue regarding Peggy Gastelum.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		As of 01/29/14, nothing new has been filed in this matter.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		1. Need proof of service of Notice of Hearing on Peggy Gastelum.
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Petitioner prays for an order:	Reviewed by: JF
		1. Approving, allowing and settling the final report and approving/confirming all acts and proceedings of Petitioner;	Reviewed on: 01/29/14
		2. Finding that Peggy Gastelum, former administrator of this estate, is personally liable to the beneficiaries, Estate of John Perry Kearney, Jr., Maria Ida Kearney, JoAnne Amela Lares, and Robert Hawkins, Chapter 7 Trustee, for the amount of \$63,320.28;	Updates:
		3. Closing the administration of this estate; and Discharging the Public Administrator as Administrator of the Estate of Lydia Robles Gannon.	Recommendation:
		Declaration of Public Administrator Regarding Inability to Locate or Notice Peggy Gastelum filed 01/29/14 states: no address could be located for Peggy Gastelum and a telephone number that was located had been disconnected. Petitioner knows of no other way to contact Ms. Gastelum or give her notice.	File 1 – Gannon

Atty Magness, Marcus D., of Gilmore, Wood, Vinnard & Magness (for Petitioner Anna Foster)

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Compensation to Petitioner and to Attorney and (3) for Its Settlement and Distribution

DOD: 2/26/2001		ANNA N. FOSTER , daughter and Administrator with Limited IAEA authority appointed on 1/2/2007 with bond of \$100,000.00 , is Petitioner. Letters issued on 5/11/2007.	NEEDS/PROBLEMS/ COMMENTS: Note: Page 4 of the proposed order includes blank lines for insertion of an amount for an award of extraordinary fees to the attorney, and for insertion of amounts for distribution to each of the Decedent's 12 heirs according to their entitled percentages.
Cont. from		Account period: 5/11/2007 – 11/30/2013	
	Aff.Sub.Wit.	Accounting - \$65,103.55	
✓	Verified	Beginning POH - \$65,000.00	
✓	Inventory	Ending POH - \$40,468.64	
✓	PTC	(all cash; net proceeds from sale of real property were impounded with the Fresno County Superior Court [per Order filed 4/22/2013] and remain impounded;)	
✓	Not.Cred.	Administrator - \$2,040.00	
✓	Notice of Hrg	(statutory)	
✓	Aff.Mail	Administrator Costs - \$4,379.85	
	Aff.Pub.	(Petitioner's Declaration in Support of Reimbursement of Costs Advanced attached as Exhibit D; for real property taxes, probate referee, filing fees, homeowners insurance;)	
✓	Sp.Ntc.	Attorney - \$2,040.00	
	Pers.Serv.	(statutory)	
	Conf. Screen	Attorney XO - Amount left to Court's sole discretion	
	Letters 051107	(Declaration of Marcus D. Magness filed 12/30/2013 itemizes 73.15 attorney hours, 12.20 paralegal hours, and justifies fees of \$17,139.00 ; noted on additional pages.)	
	Duties/Supp	Attorney Costs - \$8,207.50	
	Objections	(itemized on Schedule F; filing fees, publication, bond premiums, appraisal fees, certified copies;)	
	Video Receipt	Creditor's Claim - \$17,181.64	
	CI Report	(DEPARTMENT OF HEALTH CARE SERVICES per Allowance of Creditor's Claim filed 11/16/2007;)	
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

~Please see additional page~

Reviewed by: LEG

Reviewed on:

1/29/14

Updates:

Recommendation:

File 2 – Foster

Distribution pursuant to intestate succession is to:

ANNA N. FOSTER – 1/7th
DIANE K. FOSTER – 1/7th
KENNETH R. FOSTER – 1/7th
J. R. FOSTER – 1/7th
BRUCE K. FOSTER, JR. – 1/7th
QUIANA L. FOSTER – 1/14th
ANTOINE D. FOSTER – 1/14th
EBONY VELASQUEZ – 1/35th
TYREE HALL – 1/35th
CRAIG FOSTER – 1/35th
CARLOS FOSTER – 1/35th
TROY FOSTER – 1/35th

Petitioner requests the Court order the transfer of impounded funds by the Fresno Superior Court to Gilmore, Wood, Vinnard & Magness in the amount of **\$40,468.64**; the firm will place all funds in its client trust account and will cause payment of the creditor's claim, costs advanced, compensation as ordered by the Court, and will distribute any remaining assets as set forth in the *Petition*.

Declaration of Marcus D. Magness filed 12/30/2013 states regarding extraordinary legal services:

- **Appointment of Anna:** He was first retained by Petitioner Anna Foster in October of 2004 in connection with administration of her mother's estate; initially, a dispute arose between Petitioner and her sister, **DIANE FOSTER**, regarding who was going to be appointed as personal representative; in the course of the dispute, he prepared objections and had numerous conversations with counsel for Diane.
- **Probate Homestead; Protection of BRUCE FOSTER, JR., adoptive son/grandson:** The sole asset of the estate was real property on Belgravia in Fresno; Bruce was Decedent's adopted son and biological grandson, and faced a very difficult situation as a minor, and much work went into securing a solution that would allow Bruce to stay at the property until he reached age 18; Mr. Magness prepared a probate homestead, which was denied, but ultimately Mr. Magness was able to broker a solution whereby the parties agreed Bruce could live in the property with an adult until he was age 18; Mr. Magness expended significant time ensuring that Bruce would have a place to live while a minor;
 - *[Note for background: Guardianship of the Estate of Bruce Kevin Foster, Jr., Case #02CEPR00678, was established on 1/28/2008 with **KENNETH R. FOSTER**, paternal uncle (brother based on minor's adoption by paternal grandmother, Parmie) serving as Guardian. Kenneth Foster was self-represented.]*
 - *[Note for background: Order Instructing Administrator signed on 5/15/2008 did the following: (1) Denied the petition for Order Setting Aside Probate Homestead; (2) Allowed the sale of the home subject to an Estate for Years in favor of Kenneth R. Foster, guardian of the estate of Bruce K. Foster, Jr.; (3) Instructed Anna Foster as Administrator of this estate to purchase the home from the estate for \$125,000.00 (conditioned upon obtaining a loan), and to vest the deed conveying title to the home to Kenneth R. Foster, as Guardian of the Estate of Bruce K. Foster until the first to occur of Bruce's death or 4/2012, remainder to Anna Foster; costs of sale to be charged to Anna's share of the estate; and (4) Instructed Anna Foster, upon completion of sale, to move forthwith to close the estate.]*
- **Sale of the real property:** After Bruce turned 18 *[in April 2012]*, he moved from the property, and steps were immediately taken to retain an agent, list the property, and sell it; unfortunately, things did not go smoothly; the estate's agent obtained buyers who offered to purchase the property for **\$51,000.00** (appraised at **\$50,000.00**);

~Please see additional page~

Declaration of Marcus D. Magness filed 12/30/2013, continued:

- **Damage to House:** The buyers required the property be vacated prior to the close of escrow, and between the time the occupant vacated and the time of the walkthrough, the house was severely vandalized and all fixtures, wires, piping and other materials were stolen; *[Note: Declaration of Ryan M. Janisse filed 5/3/2013 outlines the significant hardships involved with the real property following confirmation by Court of the sale, including discovery at final walkthrough by buyer of substantial theft and damage to the property (photos attached) resulting in buyer offering a reduced sales price.]* The buyers wanted to purchase the property for **\$45,000.00**, which required filing an ex parte application for approval of the reduced sales price, which the Court granted; however, Petitioner felt the estate should not be harmed as a result of the buyer's request that the house be vacated; the property sold for the original **\$51,000.00**; the sale was confirmed by the Court *[on 3/5/2013.]*
- **Deed of Trust:** The preliminary title report uncovered a Deed of Trust that dated back to 1981 securing a **\$12,000.00** loan; Petitioner was told by Decedent the property was owned outright but was unable to find a reconveyance, presenting a number of practical problems; the firm's paralegal conducted an extensive search to locate the owners of the Deed of Trust, and she discovered the owners lived together in 2 different locations, and both were deceased; she tracked down their respective heirs; the attorney who handled one of the person's probate was contacted, but the holder of the Deed of Trust was unable to be located and they were faced with losing the buyers.
- **Ex Parte Petition for Order Impounding the Proceeds:** Attorney Ryan Janisse of the firm prepared an ex parte application for an order requesting the Court order the entire net proceeds of the sale impounded with the Court, which preserved the buyer and allowed the estate additional time to address the Deed of Trust while preserving any potential claim under the Deed of Trust;
- **850 Petition:** Once the property was sold, Mr. Janisse prepared a Petition to Determine Succession to Property seeking a court order finding the **\$12,000.00** for the Deed of Trust was the property of the estate; in order to satisfy the Court, Mr. Janisse undertook a diligent search; all potential heirs of the named beneficiaries of the Deed of Trust, **[CHARLES W. DEAN and LEROY H. (MIKE) TODD (as Trustees of the Dean-Todd Trust dated 4/19/1985)]**, were served, as well as the administrator of Mr. Dean's estate and his attorney; after service, a number of people contacted the firm inquiring about the petition and providing additional information regarding potential heirs; one of the persons served contacted Mr. Janisse and told him that **UNIVERSITY OF ILLINOIS FOUNDATION** was administering one of Mr. Dean's trusts, and upon Mr. Janisse contacting and serving the university with the petition, he confirmed they did not have any deeds of trust as assets; no one objected to the petition and it was granted by the Court *[on 9/30/2013]*, resulting in an additional **\$12,000.00** being available to the estate;
- **Benefit to the Estate:** Had the **\$12,000.00** lien not been cleared of title by the Petitioner's attorney's efforts, the estate would be insolvent and unable to pay the costs of administration; the clearing of the deed of trust recorded against the property increased the assets of the estate by at least \$12,000.00 and was of great value to the estate; the firm's efforts and diligence in addressing this issue resulted in a benefit to the estate in that the costs of administration and creditor's claims could be paid.
- **[Conclusion:]** The estate only has **\$6,619.65** after creditor's claims, statutory fees, and costs advances are repaid; while extraordinary fees of **\$17,139.00** is believed by Mr. Magness to be an appropriate award, given the size of the estate such a request would exceed the remaining assets; given the circumstances of this estate, Mr. Magness leaves the award of extraordinary fees in the sole discretion of the Court to determine as it deems appropriate under the circumstances of this case.

Petition for Termination of Proceedings Due to Lack of Assets and Inability to Reach the Personal Representative

DOD: 3-6-99		NANCY J. LEVAN , Attorney, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		SANDRA PEREZ , daughter-in-law, was appointed Administrator with Will Annexed with Limited IAEA without bond and Letters issued on 2-21-07.	Note: Pursuant to the decedent's will, the real property that was lost to foreclosure was a specific bequest to the Decedent's grandson Jose Angel Perez, who was a minor at the time that administration was opened. The Court may require clarification as to whether efforts were made to avoid foreclosure for the benefit of the minor heir.
Cont. from 010614		I&A filed 7-7-08 indicates a final estate value of \$72,000.00 consisting of residential real property located at 8798 E. Dinuba Ave., in Selma, CA.	1. Need order.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified	Attorney LeVan states the home that was inventoried in this estate was lost to foreclosure in 2007 (see attached notice of sale) and there are no other assets subject to administration. Numerous attempts to contact the administrator have failed. Letters were returned with "RETURN TO SENDER; ATTEMPTED – NOT KNOWN; UNABLE TO FORWARD."	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Petitioner advanced the recording fee for Notice of Pendency of Action to delay foreclosure (\$14.00), probate referee fee (\$105.00), certified letters (\$15.00), and the filing fee for this petition (\$435.00).	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	Due to the inability to reach the personal representative and petitioner's belief that there are no assets to administer, Petitioner prays for an order terminating the proceedings due to lack of assets and discharging the attorney of record due to the inability to locate or contact the personal representative.	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	Declarations of Due Diligence state the whereabouts of the Administrator and one heir, Jose Angel Perez, are unknown and that mail was returned.	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Declaration of Julie Gorman, employee of Attorney Nancy LeVan, filed 1-16-14 states: The whereabouts of Sandra Perez and her son are still unknown. Notice mailed to various addresses was returned. Notice of hearing was given to Patricia De La Riva. Notice pursuant to §9202 was not performed, as the only asset was being foreclosed upon.	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	3-13-07	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

4 Sherman Wayne Dozier (Estate)

Case No. 08CEPR00017

Atty Knudson, David N.

Atty Reynolds, Russell W.

(1) First Account and Status Report of Administrator, and (2) to set Aside Exempt Personal Property

Age:		NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 02/24/14</u> Per request of Counsel
DOD:		
Cont. from 121113		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by:
		Reviewed on: 01/29/14
		Updates:
		Recommendation:
		File 4 – Dozier

(1) Waiver of Accounting and (2) Petition for Allowance of Statutory Fees to Executor, and (3) Petition for Final Distribution

DOD: 04/22/13		GAYLE BARTON , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	1. Estate assets are to be distributed to an existing trust, therefore, need declaration pursuant to Local Rule 7.12.5.
Cont. from		I & A - \$370,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$370,000.00	
<input checked="" type="checkbox"/>	Verified	Executor (statutory) - \$10,400.00	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC	Attorney - \$5,000.00 (less than statutory)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Distribution, pursuant to decedent's will, is to:	
	Aff.Pub.	Gayle Barton, Trustee of the Michael B. Ekizian Declaration of Trust - \$370,000.00	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	08/05/13	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		Reviewed by: JF
	Status Rpt		Reviewed on: 01/29/14
	UCCJEA		Updates:
	Citation		Recommendation:
<input checked="" type="checkbox"/>	FTB Notice		File 5 – Ekizian

DOD: 12/09/2012		<p>ANCILLA M. CHEEK, daughter is petitioner and requests appointment as Administrator without bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Fresno Bee</p> <p><u>Estimated value of the Estate = \$0</u></p> <p>Probate Referee: Rick Smith</p> <p>Petitioner states: the sole asset of the estate appears to be a potential wrongful death case against Michael's Craft Store. Medical care providers are requiring Letters of Administration. Better results are expected in such a suit if the Petitioner files as Plaintiff on behalf of the Estate of Philomena Rose, and Defendant's may require Letters of Administration to authorize settlement. Petitioner understands this would be authorized under the Independent Administration of Estates Act.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Confidential Supplement to Duties & Liabilities of Personal Representative. 2. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 07/11/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 04/10/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from 012114			
<input type="checkbox"/>	Aff.Sub.Wit.		
✓	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w/		
✓	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
✓	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 01/29/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Rose</p>	

Petition for Order Confirming Successor Trustee and Trust Assets

			DUANE SMYTHE , successor trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Order does not comply with Local Rule 7.6.1. All orders must be complete in themselves and shall be drawn so that their general effect may be determined without reference to the petition on which they are based. Need new order.
			Petitioner alleges:	
Cont. from			He is the currently acting successor trustee of the WENDELL E. SMYTHE LIVING TRUST, dated 4/27/12.	
	Aff.Sub.Wit.			
✓	Verified		Wendell E. Smythe died on 3/28/13.	
	Inventory		On the first page of the trust instrument, Settlor Wendell E. Smythe declared that the property described in Exhibit A is property transferred to the trust.	
	PTC			
	Not.Cred.		Exhibit A lists among other items, all PG&E common stock.	
✓	Notice of Hrg		Settlor Wendell E. Smythe made attempts to transfer the PG&E commons stock to his trust. For one reason or another, the attempts failed and the PG&E commons stock was held in the decedent's own name at the time of his death.	
✓	Aff.Mail	W/	The only beneficiary of the trust is petitioner.	
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order		Wherefore, Petitioner prays for an Order of this Court that:	
	Aff. Posting		1. The Wendell E. Smyth Living Trust dated 4/27/12 is valid;	
	Status Rpt		2. The assets set forth, and specifically all PG&E commons stock owned by the decedent, are assets subject to the management and control of Duane Smyth, as successor trustee of the Wendell E. Smythe Living Trust dated 4/27/12	
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT
Reviewed on: 1/29/14
Updates:
Recommendation:
File 8 – Smythe

DOD: 07/22/13		WILLIAM DWAYNE WELCH and DEBRA GEHRETT , son and daughter, are Petitioners. 40 days since DOD. No other proceedings. I & A - \$144,136.52 Decedent died intestate. Petitioners request Court determination that decedent's 100% interest in real property located at 3823 E. Robinson in Fresno and personal property pass to them in equal 50% interests pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: JF				
Reviewed on: 01/29/14				
Updates:				
Recommendation: SUBMITTED				
File 9 – Welch				

DOD: 10/21/13		NICHOLAS B. DREWS , former step-son/named Executor, is Petitioner, and requests appointment as Executor with bond set at \$396,000.00.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Limited IAEA - OK	<p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 06/27/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 03/27/15 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>
<input checked="" type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Will dated 10/19/13	
	Inventory		
	PTC	Residence: Reedley Publication: Reedley Exponent	
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	<p>Estimated Value of the Estate:</p> <p>Personal property - \$350,000.00</p> <p>Annual income - 10,000.00</p> <p>Real property - 170,000.00</p> <p>Total - \$530,000.00</p>	
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input checked="" type="checkbox"/>	Aff.Pub.	Probate Referee: RICK SMITH	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Proof of Holo. Inst.		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

DOD: 09/18/08 <div style="border: 1px solid black; padding: 2px;"> Cont. from <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10%;"></td><td style="width: 80%;">Aff.Sub.Wit.</td><td style="width: 10%;"></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td>✓</td><td>Aff.Mail</td><td>w/o</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table> </div>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/o		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		<p>NICHOLAS B. DREWS, beneficiary Patrick M. Nelsons, former step-son and beneficiary of the will of Patrick M. Nelson, is Petitioner.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> 1. Virginia M. Nelson ("Trustor" or "Virginia") created the VIRGINIA M. NELSON TRUST on 01/29/92 (the "Trust"), and named herself as the sole trustee. 2. The Trust named Trustor's son, Patrick M. Nelson ("Patrick") as successor trustee and beneficiary of the Trust. Patrick M. Nelson assumed the role of successor trustee by 09/14/07 due to the incapacity of the Trustor. 3. Virginia Nelson died on 09/18/08 and Patrick Nelson died on 10/21/13. 4. No successor trustee after Patrick Nelson is named in the Trust. 5. Pursuant to the Trust, since he was over the age of 25 at the time of Virginia's death, Patrick should have distributed the entire Trust estate to himself free of trust, however, he failed to distribute all of the assets and wind up the Trust. 6. The sole remaining purpose of the Trust is to distribute the assets to Patrick Nelson's estate and wind up the Trust. A trustee must be appointed to accomplish this purpose. 7. Because of Patrick Nelson's death, there is a vacancy in the office of trustee. 8. Petitioner is the named Executor in Patrick Nelson's will dated 04/01/08 and republished on 10/19/13 ("Will"). A Petition for probate of the Will has been filed in this court by Petitioner. Because Petitioner is nominated as executor of Patrick's estate, he is an interested party and is a proper person to petition to appoint a successor trustee. <p style="text-align: center;">Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See page 10 for a related matter.</p> <div style="border: 1px solid black; padding: 2px; margin-top: 10px;"> <p>Reviewed by: JF</p> <p>Reviewed on: 01/29/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Nelson</p> </div>
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9. As the prospective personal representative handling Patrick Nelson's estate, it would be most practical and efficient for Petitioner to accomplish the sole remaining purpose of the Trust – to distribute the Trust assets to Patrick Nelson's estate.
10. There is also evidence that Patrick Nelson intended to appoint Petitioner to serve as the successor trustee of the Trust. Petitioner is Patrick Nelson's step-son and although his mother eventually divorced Mr. Nelson, Petitioner and Mr. Nelson maintained a close father son relationship. Before his death, Mr. Nelson drafted a handwritten, notarized document stating that he considered Petitioner to be his son and appointing Petitioner to serve as successor trustee of the Trust (copy attached to Petition). Although this document may not make an effective appointment in the way Mr. Nelson believed it did, it evidences the fact that Mr. Nelson, as sole beneficiary of the Trust, intended for Petitioner to fulfill that role.
11. If appointed by this Court, Petitioner, by his signature on this Petition, accepts the Trust and consents to serve as successor trustee of the Trust. The Trust terms provide that no bond be required of any trustee of the Trust.

Petitioner prays for an Order:

1. Appointing Nicholas B. Drews as successor Trustee of the Virginia M. Nelson Trust dated January 29, 1992, as amended, without the requirement of a bond.

DOD: 09/02/13		GREGORY B. HOLMES , son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD.	
		No other proceedings.	
Cont. from		I & A - \$130,000.00	
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
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✓	Notice of Hrg		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF
			Reviewed on: 01/29/14
			Updates:
			Recommendation: SUBMITTED
			File 12 – Holmes

Petition for Order Appointing Successor Co-Trustees

			<p>JUDITH KAY FREITAS is Petitioner.</p> <p>Petitioner states:</p> <p>ANDREW J. LAWSON and MARIANETTE LAWSON, husband and wife, established the ANDREW J. AND MARIANETTE LAWSON TRUST OF 1993 on 9/22/93.</p> <p>Marianette Lawson died on 6/21/05. Upon Marianette's death Andrew became the sole trustee. Andrew Lawson died on 11/24/13.</p> <p>The trust provides that upon the death of the last trustor to die, BRIAN NELSON would be the successor trustee. Brian Nelson died on 10/22/13. The Trust did not name an alternate successor trustee. Under the present circumstances, no administration of the trust can be carried out because there is no successor trustee.</p> <p>The beneficiaries of the trust are: Keven M. Nelson, Optimism One a.k.a. Craig Nelson and Judith Kay Nelson a.k.a. Judith K. Freitas (petitioner).</p> <p>Petitioner seeks appointment of Optimism One a.k.a. Craig Nelson and Judith K. Nelson a.k.a. Judith K. Freitas as successor co-trustees without bond.</p> <p>All beneficiaries of the trust consent and waive the requirement of bond.</p> <p>Wherefore, Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Appointing Optimism One and Petitioner and co-trustees of the ANDREW J. AND MARIANETTE LAWSON TRUST OF 1993. The Court order that Optimism One and Petitioner are not required to post a bond. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
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	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT

Reviewed on: 1/29/14

Updates:

Recommendation:

File 13 – Lawson

DOD: 10/22/10		<p>LEANNE WALKER GRANT, niece, was appointed Administrator with bond fixed at \$7,000,000.00 on 03/12/12. Letters of Administration were issued on 05/16/12.</p> <p>First Report of Personal Representative and Petition for its Settlement; Petition to Determine Entitlement to Estate Distribution and to Allow Administration of Estate to Continue filed 06/13/13 and approved on 07/15/13.</p> <p>Minute Order from 07/15/13 set this matter status regarding preliminary distribution on 11/05/13.</p> <p>Inventory & Appraisal, partial No. 1 filed 09/20/13 - \$202,328.21</p> <p>Inventory & Appraisal, partial No. 2/Final filed 09/20/13 - \$6,763,876.49</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 11/05/13</u></p> <p>Minute Order from 11/05/13 states: Counsel informs the Court that they intend to file a Petition for Preliminary Distribution.</p> <p>1. Need Status Update report and/or Petition for Preliminary Distribution.</p>
Cont. from 110513			
Aff.Sub.Wit.			
Verified			
Inventory			
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 01/29/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Lowery</p>	

Atty Mancera, Diane (pro per – guardian)
 Atty Mancera, Lorraine (pro per – guardian)
 Atty Mancera, Diamondtine Paula (pro per – mother/Petitioner)

Petition for Termination of Guardianship

Jade, 14	DIAMONDTINE MANCERA, mother, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 12/16/13 Minute Order from 12/16/13 states: No appearances. Matter continued to 02/03/14. The Court directs that a copy of the minute order be sent to the parties. Note: Clerk's Certificate of Mailing indicates that a copy of the Minute Order dated 12/16/13 was mailed to the parties on 12/17/13. This Petition pertains to Ramon and Samuel only. 1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Termination of Guardianship or Declaration of Due Diligence or Consent & Waiver of Notice for: - Diane Mancera (guardian) - Lorraine Mancera (guardian) - Father - Paternal grandparents - Maternal grandfather - Jade Bulosan (sister/minor)
Ramon, 5	DIANE MANCERA and LORRAINE MANCERA, maternal aunts, were appointed co-guardians on 09/30/13.		
Samuel, 3			
Cont. from 121613			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Father: NOT LISTED (UNKNOWN) Paternal grandparents: NOT LISTED (UNKNOWN) Maternal grandfather: NOT LISTED Maternal grandmother: MARIA MANCERA – deceased Petitioner states: the Petition is blank, no reason for requesting termination is stated. Court Investigator JoAnn Morris filed a report on 01/24/14.			
Reviewed by: JF			
Reviewed on: 01/29/14			
Updates:			
Recommendation:			
File 16 – Bulosan & Suarez			

Eliza, 3		TEMPORARY EXPIRES 02/03/14	NEEDS/PROBLEMS/COMMENTS:
Elxie, 2			
		AMELIA TEJADA , paternal grandmother, is Petitioner.	CONTINUED FROM 12/16/13
		Father: JOSEPH JUAREZ - <i>currently incarcerated; Consent & Waiver of Notice filed 12/04/13</i>	Note: The maternal grandmother, Selmira Espinosa, also filed a guardianship Petition; however at the hearing on the temporary petition on 10/28/13, her petition was dismissed. She indicated that she was happy with the children being with Petitioner and just wanted visits. The Court advised the parties to work visitation out between themselves.
Cont. from 121613		Mother: CECELIA MORENO – <i>Declaration of Due Diligence filed 10/17/13</i>	As of 01/29/14, nothing new has been filed in this matter.
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandfather: RODRIGO CAMPOS – <i>served by mail on 10/15/13</i>	1. Declaration of Due Diligence filed 10/17/13 states that the mother's whereabouts are unknown and attempts to serve her at known addresses were unsuccessful. If diligence is not found, need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> for: - Cecelia Moreno (mother)
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Maternal grandfather: LEWIS MORENO – <i>served by mail on 10/15/13</i> Maternal grandmother: SELMIRA ESPINOSA – <i>served by mail on 10/15/13</i>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Petitioner states that the father has full custody of the children but is unable to care for them at this time. Father requests that Petitioner care for the children. Petitioner states that the mother is a drug addict and unstable. Petitioner states that she can provide a safe, stable and loving home for the children.	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Court Investigator Charlotte Bien filed a report on 10/23/13.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

18 AujaNeek Moore & Mary Jane Roberts (GUARD/P) Case No. 13CEPR01049

Atty Johnson, Debra D. (pro per Petitioner/maternal grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

AujaNeek Age: 11		<p align="center"><u>TEMPORARY EXPIRES: 2/03/2014</u></p> <p>DEBRA D. JOHNSON, maternal grandmother is petitioner.</p> <p>Father: ANTHONY ROBERTS</p> <p>Mother: SHANEK MOORE – personally served on 12/6/13.</p> <p>Paternal Grandfather: Donald Roberts Paternal Grandmother: Deceased</p> <p>Maternal Grandfather: Samuel Moore</p> <p>Petitioner states: the mother is not in a stable environment. She has no home, the children were not cared for properly and were not attending school.</p> <p>Court Investigator Charlotte Bien's Report filed on 1/17/14</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need proof personal service five (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Anthony Roberts (Father) – Note: Declaration of Due Diligence filed 1/17/14 states Petitioner knows where the father is but cannot get anyone to serve him the papers. Need proof service five (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Donald Roberts (paternal grandfather) Samuel Moore (maternal grandfather) UCCJEA is blank. Need completed UCCJEA. 	
Mary Jane Age: 10				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
✓	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
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✓	Duties/Sup p			
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✓	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 1/29/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – Moore & Roberts</p>		

Petition for Appointment of Temporary Guardianship of the Person

			GENERAL HEARING 3-25-14	NEEDS/PROBLEMS/COMMENTS:
			LYDIA GAYTAN , Paternal Grandmother, is Petitioner.	Note: It appears from the birth certificate and the mother's signature that her name is spelled "Torrez" not "Torres." Need clarification for court records.
			Father: RAYMOND GUIBA, JR. - Consents and waives notice	
<input type="checkbox"/>	Aff.Sub.Wit.		Mother: MARCI MARIE TORRES (TORREZ?) - Nominates, consents, and waives notice	
<input checked="" type="checkbox"/>	Verified		Paternal Grandfather: Raymond Guiba - Consents and waives notice	
<input type="checkbox"/>	Inventory		Maternal Grandfather: Steve Torres	
<input type="checkbox"/>	PTC		Maternal Grandmother: Margaret Marin	
<input type="checkbox"/>	Not.Cred.		Petitioner states she needs to obtain guardianship because the father, who has had the minor residing with him with the mother's permission, has joined the military, but is not able to leave until his son is no longer his responsibility and has secure placement. There is nowhere else to leave him. Therefore, temporary guardianship is needed as soon as possible.	
<input type="checkbox"/>	Notice of Hrg		Both parents signed Consent and Waiver of Notice, and the mother also signed the Nomination of Guardian.	
<input type="checkbox"/>	Aff.Mail		Per UCCJEA, the minor has lived with Petitioner since 1-13-14.	
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
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<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: skc
Reviewed on: 1-29-14
Updates:
Recommendation:
File 19 – Guiba